

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Bright Idaida Falodun,

Plaintiff,

v.

Civil No. 09-2551 (JNE/SRN)  
ORDER

Michael G. Olsen, Sandra L. Biedemus  
and John G. Kirkwood,

Defendants.

This case is before the Court on a Report and Recommendation issued by the Honorable Susan R. Nelson, United States Magistrate Judge, on November 17, 2009. The magistrate judge recommended that Plaintiff's application to proceed in forma pauperis be denied, that this action be summarily dismissed, that Plaintiff be required to pay the unpaid balance of the Court filing fee, and that the dismissal of this action be counted as a strike against him for purposes of 28 U.S.C. § 1915(g). Plaintiff objected to the Report and Recommendation. The Court has conducted a de novo review of the record. *See* D. Minn. LR 72.2(b). Based on that review, the Court adopts the Report and Recommendation. Therefore, IT IS ORDERED THAT:

1. Plaintiff's objection [Docket No. 7] to the Report and Recommendation [Docket No. 5] is overruled.
2. Plaintiff's application to proceed in forma pauperis [Docket No. 2] is DENIED.
3. This action is SUMMARILY DISMISSED pursuant to 28 U.S.C. § 1915A(b)(1).
4. Plaintiff is required to pay the unpaid balance of the Court filing fee, namely \$314.42, in accordance with 28 U.S.C. § 1915(b)(2).

5. For purposes of 28 U.S.C. § 1915(g), this action is dismissed “on the grounds that it is frivolous, malicious, or fails to state a claim on which relief may be granted.”

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: December 16, 2009

s/ Joan N. Ericksen

JOAN N. ERICKSEN

United States District Judge